

United States District Court, Eastern District of Washington
Magistrate Judge Mary K. Dimke
Richland

USA v. MONICA PESINA

Case No. 2:20-CR-00005-SMJ-1

Continued Detention Hearing:

03/17/2020

- | | |
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| <input checked="" type="checkbox"/> Sara Gore, Courtroom Deputy [R] <input checked="" type="checkbox"/> Pam Howard, Courtroom Deputy [Tele] <input checked="" type="checkbox"/> Erica Helms, US Probation / Pretrial Services [Tele] <input checked="" type="checkbox"/> Defendant present <input checked="" type="checkbox"/> in custody USM <div style="margin-left: 100px;"><input type="checkbox"/> out of custody</div> | <input checked="" type="checkbox"/> Stephanie Van Marter, US Atty <input checked="" type="checkbox"/> Adam Pechtcl, Defense Atty <input checked="" type="checkbox"/> Interpreter NOT REQUIRED <input type="checkbox"/> Defendant not present / failed to appear |
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- | | |
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| <input checked="" type="checkbox"/> Defendant continued detained | <input type="checkbox"/> Conditions of Release imposed <input type="checkbox"/> 199C Advice of Penalties/Sanctions |
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REMARKS

2:55 p.m. Testifying for Defense: Lena Samorano sworn in and testified.
 Direct examination by Mr. Pechtcl
 Cross examination by Ms. Van Marter
 Redirect examination by Mr. Pechtcl
3:26 p.m. Witness excused by the Court

USA argued why the Court should detain the Defendant and why there are no conditions of release which will reasonably assure Defendant's appearance as required and/or the safety of the community. Defer to Judge Mendoza's previous Order filed at (ECF No. 77) and Judge Dimke's previous Order filed at (ECF No. 48) file in case 4:19-cr-6063-SMJ.

Colloquy between Court and counsel re the difference from now and Judge Mendoza's ruling on detention.

Defense counsel argued why the Defendant should be released. Support system, her children's new behavior issues and availability of inpatient treatment. Defense has rebutted the presumption of evidence for detention. Defense believes conditions can be fashioned. GPS, inpatient treatment to clean and sober housing with her children that is preapproved by probation.

The Court ordered:

1. USA's Motion for Detention is **granted**.
2. That there is no combination of conditions to assure the Defendant's appearance as required or conditions to ensure that Defendant is not a danger to the community.
3. The presumption of detention has not been rebutted.
4. Defendant shall be detained by the U.S. Marshal until further order of the Court.